

# Exhibit 2

1 SUPERIOR COURT OF WASHINGTON  
2 FOR KING COUNTY  
3 JODY E. RATCLIFF, )  
4 Plaintiff, )  
5 v. ) NO. 16-2-18128-7  
6 BORGWARNER MORSE TEC )  
7 LLC, et al., )  
8 Defendants. )

9 THURSDAY, FEBRUARY 1, 2018  
10 - - -  
11 Videotaped Deposition of Frederick  
12 Pooley, Ph.D., held at the offices of Orrick,  
13 Herrington & Sutcliffe LLP, 51 West 52nd  
14 Street, New York, New York, commencing at  
15 9:31 a.m., on the above date, before Carrie  
16 A. Campbell, Registered Diplomate Reporter,  
17 Certified Realtime Reporter, Illinois,  
18 California & Texas Certified Shorthand  
19 Reporter, Missouri & Kansas Certified Court  
20 Reporter.  
21 - - -  
22  
23 GOLKOW LITIGATION SERVICES  
24 877.370.DEPS  
25 deps@golkow.com

1 MR. BICKS: Objection to the  
2 form.

3 QUESTIONS BY MR. LANIER:

4 Q. You ought to consider all the  
5 data, right?

6 A. Oh, sure. Yeah.

7 Q. I mean, the Val Chisone report,  
8 you found tremolite in Val Chisone. That's  
9 not on the timeline, is it?

10 It says, "The massive talc is  
11 exceptionally pure."

12 A. Yes.

13 Q. Where does it say on the  
14 timeline you found asbestos tremolite?

15 MR. BICKS: It says it right at  
16 the top.

17 MR. LANIER: Oh, he's talking  
18 about this right here, 1972? Is that  
19 is it, Mr. Bicks?

20 MR. BICKS: I can't see it from  
21 where I am, but --

22 MR. LANIER: It's right up  
23 there.

24 That's your claim?

25 MR. BICKS: Yeah, some

1 tremolite was located.

2 QUESTIONS BY MR. LANIER:

3 Q. But was not asbestiform in  
4 character?

5 A. No.

6 Q. And has not been detected in  
7 talc imported to Great Britain.

8 Do you see that?

9 A. Yes.

10 Q. But we've got Exhibit 10, which  
11 is your report, and if he's reading your  
12 report on the very back, Fred Pooley, that's  
13 not what it says, is it?

14 A. Uh-huh.

15 Q. Mr. Bicks has inadequately  
16 quoted this report. "Particles formed from  
17 the amphibole mineral found at the mine were  
18 hardly fibrous."

19 A. Yeah.

20 Q. "The majority broke to give  
21 compact particles." They got too small.  
22 Doesn't mean all of them did. does it?

23 MR. BICKS: Objection to the  
24 form

1 QUESTIONS BY MR. LANIER:

2 Q. Doesn't mean all of them did,

3 does it?

4 A. Nope.

5 Q. So he didn't quote it here, but

6 you found tremolite that was asbestiform that

7 didn't break apart, didn't you?

8 MR. BICKS: Objection to the  
9 form.

10 THE WITNESS: Yes. A few  
11 particles, yes.

12 QUESTIONS BY MR. LANIER:

13 Q. Yeah.

14 And again, this shouldn't be  
15 about cherry-picking. This should just be  
16 about, be honest, be up front, tell the  
17 truth, right?

18 MR. BICKS: Objection to the  
19 form.

20 THE WITNESS: Yes.

21 QUESTIONS BY MR. LANIER:

22 Q. And then you were asked about  
23 whether or not some of this work was done  
24 that was done by litigation.

25 You don't know what work was